Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 910-02061-1299-505	Date: 11/21/12	Time: 0800	
Location: 2417 N San Fernando Road	City or Station: Burbank		
Bureau/Station/Facility: Cresenta Valley Station/ Glendale Court	Admin. Investigation: YES [ ] NO [X]		
Type of Force: Significant Force-Head Strike/Fractured Bone			
Deputy Injury: YES [X] NO [ ]	Suspect Injury YES [X] NO [ ]		
[X] Call	[ ] Observation	[ ] Detail	[ ] Foot Pursuit [ ] Vehicle Pursuit
IAB Notified: YES [X] NO [ ]	Person Notified: John McBride	Emp: [redacted]	IAB Roll Out: YES [X] NO [ ]

Involved Employee

E 1

Employee #: [redacted]	Last Name: Plunkett	First Name: Tai	Middle Name:
Sex: [X] Male [ ] Female	Race: White	Unit of Assignment: Crescenta Valley Station	Work Assignment (Unit #, Module, etc.): Off duty
Shift: [ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [X] Off Duty	Age: [redacted]	Height: 506 / Weight: 160
[X] Injured [X] Treated [ ] Admitted	Hospital: U.S. Health works	Coroner Case #:	Directed Force [ ] Significant Force [X]

E 2

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle Name:
Sex: [X] Male [ ] Female	Race: [redacted]	Unit of Assignment: [redacted]	Work Assignment (Unit #, Module, etc.): Off duty
Shift: [ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [X] Off Duty	Age: [redacted]	Height: [redacted] / Weight: [redacted]
[ ] Injured [ ] Treated [ ] Admitted	Hospital:	Coroner Case #:	Directed Force [ ] Significant Force [ ]

E_

Employee #:	Last Name:	First Name:	Middle Name:
Sex: [ ] Male [ ] Female	Race:	Unit of Assignment:	Work Assignment (Unit #, Module, etc.):
Shift: [ ] EM [ ] Day [ ] PM	[ ] Regular Shift [ ] OT Shift [ ] Off Duty	Age:	Height: / Weight:
[ ] Injured [ ] Treated [ ] Admitted	Hospital:	Coroner Case #:	Directed Force [ ] Significant Force [ ]

[ ] Additional Involved Employees

On Duty Supervisor

Emp. #	Last Name	First Name	Middle Name	Rank	Present	Witness to Incident
	N/A				YES [ ] NO [ ]	YES [ ] NO [ ]
	N/A				YES [ ] NO [ ]	YES [ ] NO [ ]

Watch Sergeant

Emp. #	Last Name	First Name	Middle Name
	N/A		

Watch Commander

Emp. #	Last Name	First Name	Middle Name
	N/A		

Watch Commander (**Print Name**) ____ Watch Commander's **Signature**: ____ Emp #: ____ Date ____

Sergeant Brenda Parker
Supervisor Completing Form: (**Print Name**) [redacted] Emp #: ____ Copy Provided to Employee by: ____ Emp #: ____

Unit Commander (**Print Name**) ____ Unit Commander's **Signature**: ____ Emp #: ____ Date ____

DISCOVERY Use Only
FO#

Hybrid Form SH-R-438P (Rev. 11/07)

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
SUSPECT INFORMATION
910-02061-1299-505

Suspect Information

S 1

Last Name: Gomez			First Name: Trino		Middle Name: Jose	
AKA Last Name:			First Name:		Middle Name:	
Sex: [X] Male [ ] Female	Race: H	Street Address: [redacted]		City: [redacted]	State & Zip Code: [redacted]	
Work Phone: unemployed	Home Phone: Unknown	Age: 44	Height: 506	D.O.B. 03/03/68	Weight: 175	Armed? [X]
Booking #: 3378475	Primary Charge Code: 664/187		Secondary Charge Code:			Criminal History [X]
EMT in attendance? [ ] YES [X] NO	Name:		Unit:		Phone #:	
Hospital Admission? [X]	Rec'd Treatment At: Providence St. Joseph's Medical Center		Coroner Case #:			Mental History [ ]
By Doctor: Kalaw	Address: 501 S. Buena Vista Street, Burbank, CA			Phone #: (818) 847-4043		
Under Influence: [ ] YES [X] NO	Substance:					Mental Illness [ ]

Suspect Interview

Date: 11/21/12	Time: 1100	Audiotape: [ ]	Videotape: [X]	Photos of Injuries: [X]

Suspect Information

S__

Last Name:			First Name:		Middle Name:	
AKA Last Name:			First Name:		Middle Name:	
Sex: [ ] Male [ ] Female	Race:	Street Address:		City:	State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? [ ]
Booking #:	Primary Charge Code:		Secondary Charge Code:			Criminal History [ ]
EMT in attendance? [ ] YES [ ] NO	Name:		Unit:		Phone #:	
Hospital Admission? [ ]	Rec'd Treatment At:		Coroner Case #:			Mental History [ ]
By Doctor:	Address:			Phone #:		
Under Influence: [ ] YES [ ] NO	Substance:					Mental Illness: [ ]

Suspect Interview

Date:	Time:	Audiotape: [ ]	Videotape: [ ]	Photos of Injuries: [ ]

Suspect Information

S__

Last Name:			First Name:		Middle Name:	
AKA Last Name:			First Name:		Middle Name:	
Sex: [ ] Male [ ] Female	Race:	Street Address:		City:	State & Zip Code:	
Work Phone:	Home Phone:	Age:	Height:	D.O.B.	Weight:	Armed? [ ]
Booking #:	Primary Charge Code:		Secondary Charge Code:			Criminal History [ ]
EMT in attendance? [ ] YES [ ] NO	Name:		Unit:		Phone #:	
Hospital Admission? [ ]	Rec'd Treatment At:		Coroner Case #:			Mental History [ ]
By Doctor:	Address:			Phone #:		
Under Influence: [ ] YES [ ] NO	Substance:					Mental Illness [ ]

Suspect Interview

Date:	Time:	Audiotape: [ ]	Videotape: [ ]	Photos of Injuries: [ ]

[ ] Additional Suspects Involved

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION
9 1 0 - 0 2 0 6 1 - 1 2 9 9 - 5 0 5

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name
Emp. #	Last Name	First Name	Middle Name

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]	Middle Name [redacted]		Age 37	D.O.B. [redacted]
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph. [redacted]	Home Ph. [redacted]	
Last Name [redacted]	First Name [redacted]	Middle Name		Age 54	D.O.B. [redacted]
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph. [redacted]	Home Ph. [redacted]	
Last Name [redacted]	First Name [redacted]	Middle Name		Age 41	D.O.B. [redacted]
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph. [redacted]	Home Ph. [redacted]	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	
Last Name	First Name	Middle Name		Age	D.O.B.
Street Address	City	Zip Code	Work Ph.	Home Ph.	

☐ **Additional Witness**

Supervisor's Report on Use of Force

91[illegible]-02061-1299-5[illegible]5

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Godinez, Trino	S#1	Plunkett, Tai	E#1	UC	NN	
Godinez, Trino	S#1	Plunkett, Tai	E#1	OE	NN	
Plunkett, Tai	E#1	Godinez, Trino	S#1	PK		HE
Plunkett, Tai	E#1	Godinez, Trino	S#1	PO		AR
[redacted]	E#2	Godinez, Trino	S#1	PO		
[redacted]	E#2	Godinez, Trino	S#1	RH	NN	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

UNIT: Cresenta Valley Station/Court Services East (off duty)
DATE: November 21, 2012
TIME: 0800 hours
LOCATION: 2417 San Fernando Road, Burbank, CA
URN#: 910-02002-1299-505
IAB#: FO2325797

NATURE OF INCIDENT:

On November 21, 2012, Deputies Tai Plunkett and [redacted] were involved in an off-duty use of force incident in the city of Burbank.

Deputy Plunkett was pumping gas into his personal vehicle at the 76 Gas Station located at 2417 N. San Fernando Blvd., in the city of Burbank. He saw a female adult Hispanic, Victim [redacted] running eastbound on Buena Vista Street through traffic. She ran to the area north of the gas station convenience store. She was being chased by a male adult Hispanic, later identified as her [redacted], Suspect Trino Godinez.

Deputy Plunkett believed the male was trying to rob the female of her purse until he saw a female Hispanic juvenile run over to the location and start pulling on the male's jacket. Deputy Plunkett believed that a family dispute was occurring therefore, he decided to go over and attempt to diffuse the situation.

> **IAB Note:** See Exhibit "B," photograph depicting area where Deputy Plunkett was located and the area he responded to when he saw the commotion between the suspect and victim.

As Deputy Plunkett walked over to the location of the dispute, Suspect Godinez took a large kitchen knife from his waistband and started stabbing the female adult, in her stomach. Two female juveniles pulled on the suspect's shirt and yelled for him to stop. Deputy Plunkett began to run to the location which was approximately 20 feet away from him. As Deputy Plunkett ran to help the victim, he remembered he did not have his gun with him. He made the decision to show his badge to the suspect and announce that he was a Deputy Sheriff, hoping his actions might stop the suspect from stabbing the victim.

When Deputy Plunkett reached the location of where the suspect was assaulting the victim, he showed the suspect his badge and announced that he was a Deputy Sheriff. Suspect Godinez stopped stabbing the adult female momentarily and looked at Deputy Plunkett and his badge. The suspect then continued stabbing the victim. Deputy Plunkett put his badge away and proceeded to distract the suspect by getting close to

him. As the suspect struggled with the female adult victim and two juvenile females, Deputy Plunkett was able to get close enough to "almost" grab the suspect. As Deputy Plunkett attempted to grab the suspect, the suspect directed the knife toward Deputy Plunkett's abdominal area and attempted to stab him. At that point Victim [redacted] fell to the ground and was able to move a few feet away from the suspect. Deputy Plunkett backed up, dodged the knife, and squared off with the suspect. The suspect looked at Deputy Plunkett for a second and then turned around and moved toward the Victim [redacted] who was lying on the sidewalk a few feet away.

Suspect Godinez knelt over the victim and continued to stab her abdominal area. Fearing the suspect was going to kill the victim or gravely injure her, Deputy Plunkett kicked the suspect in the head with his right foot and shin. Deputy Plunkett could see that the suspect was stunned as a result of being kicked in the head, but the kick did not deter the suspect from hovering over the victim with the knife attempting to stab her. Deputy Plunkett kicked the suspect in the head a second time with his right foot and shin. The second kick had little to no effect on the suspect. The suspect continued to hold the knife over the victim, attempting to stab her. Deputy Plunkett kicked the suspect a third time, at which time the suspect stopped assaulting the victim and began to lose consciousness. The suspect fell on top of the victim. He was still holding the knife. The victim was able to move from under the suspect's unconscious body to safety.

Deputy Plunkett put his body weight on the suspect's back and grabbed his right arm in order to restrain him. The suspect began to regain consciousness. He began wrestling with Deputy Plunkett and attempting to push his body off the ground while holding the knife. Deputy Plunkett held the suspect's hand that contained the knife and struggled to restrain him. Deputy Plunkett ordered the suspect repeatedly to drop the knife and stop trying to get up. Deputy Plunkett said a citizen came up to where they were struggling and helped to gain control of the suspect by striking him on the head with a pipe wrench.

> **IAB Note:** Witness [redacted] the man who used the pipe wrench, said he struck the suspect on the back with the pipe wrench.

Several other people joined in to restrain the suspect. Deputy [redacted] was off- duty and just happened to be driving into the 76 Gas Station to get gas when he saw several males scuffling near the gas station.

> **IAB Note:** Only two of the people who helped Deputy Plunkett restrain the suspect were identified. The other citizens left the scene before Burbank police officers could identify them. The people who were identified were Deputy [redacted] and Witness [redacted]

As Deputy [redacted] got out of his vehicle and proceeded to put gas into it, he recognized one of the men involve in the scuffle as Deputy Plunkett, his former radio car partner and academy classmate.

IAB Note: See Exhibit "D," photograph depicting area where Deputy [redacted] was located and the area he responded to when he saw the scuffle involving Deputy Plunkett.

Deputy [redacted] went over to the location of the struggle and asked Deputy Plunkett what was going on. Deputy Plunkett told him that Suspect Godinez had stabbed his [redacted]. Deputy [redacted] noticed a knife near the suspect and that the suspect was struggling to get up. He also noticed that Deputy Plunkett was tired from the struggle. Deputy [redacted] placed his right foot on the suspect's left shoulder in order to help Deputy Plunkett and a few other men restrain the suspect. As they struggled with the suspect, Deputy Plunkett asked Deputy [redacted] if he had any handcuffs. Deputy [redacted] told him that he had flex cuffs in his car and ran to his vehicle to get them. When he returned with the flex cuffs, he was able to place a flex cuff on one of the suspect's wrists. The suspect's hands were bloody, therefore the deputies were not able to cuff the suspect's other wrist. Both deputies along with approximately two other citizens struggled with the suspect, attempting to restrain him. They were able to restrain the suspect until the first Burbank P.D. officer arrived.

When the first Burbank P.D. Officer arrived on the scene, she said she saw that the suspect's legs were tied together with a string as if someone tried to hobble his legs and connect them to the flex cuffs. Both Deputies Plunkett and [redacted] said they did not restrain the suspect's leg with a string nor attempt to hobble or tarp the suspect. They said there were other men on the scene helping restrain the suspect who may have attempted to control his legs in that manner. Those men left without being identified by Burbank P.D.

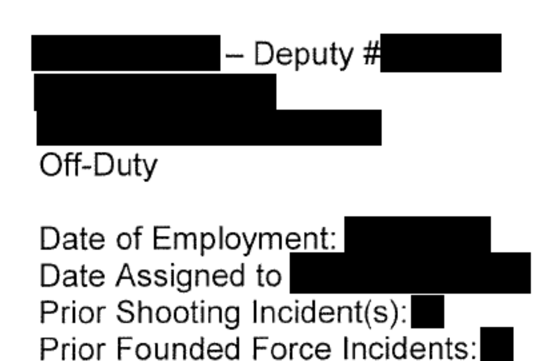
The suspect was then handcuffed with the Burbank PD officer's handcuffs. The suspect was transported to Providence Saint Joseph Medical Center and arrested for Attempted Murder.

Deputy Plunkett injured his right foot and shin during the incident. He was seen and treated at U.S. Health works.

INVOLVED PERSONNEL:

Plunkett, Tai – Deputy #[redacted]
Cresenta Valley Station
East Patrol Division
Off- duty

Date of Employment: 07/09/99
Date Assigned to CVS: 04/01/12
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]



[redacted] – Deputy #[redacted]
[redacted]
Off-Duty

Date of Employment: [redacted]
Date Assigned to [redacted]
Prior Shooting Incident(s): [redacted]
Prior Founded Force Incidents: [redacted]

INVOLVED SUSPECT:

Godinez, Trino
Transient

Sex:	Male
Race:	Hispanic
Date of Birth:	03/03/68
Height:	506
Weight:	175
Booking #	3378475
Charge:	664/187(A) PC, 207PC, 245PC, 422(A) PC

Injury: The suspect sustained a nasal bone fracture, left frontal fracture hematoma with laceration, and a small amount of subarachnoid hemorrhage scattered throughout the brain without significant mass effect.

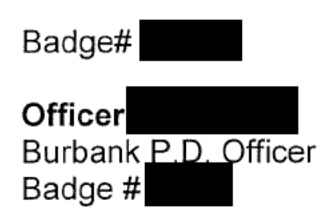
> **IAB Note:** See Exhibit "A" for Medical report. See Exhibit "E" photo of Suspect Godinez' injuries.

The Consolidated Criminal History System reveals that Suspect Godinez has a prior history of arrests for [redacted]

Burbank Police Department Officer Witnesses:

Sergeant [redacted]
Burbank P.D. Detective
Badge# [redacted]

Detective [redacted]
Burbank P.D. Detective



Badge# [redacted]

Officer [redacted]
Burbank P.D. Officer
Badge # [redacted]

CIVILIAN WITNESSES:



[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]



[redacted]

[redacted]

IAB Note: See Burbank Police Department Investigation for additional witness accounts of the incident (Exhibit A).

INVOLVED EMPLOYEE STATEMENTS:

Deputy Tai Plunkett

Deputy Plunkett was interviewed on August 20, 2013, at 1309 hours by Sergeants Brenda Parker and Mark Reyes. The interview was audio recorded.

Deputy Plunkett said that on November 21, 2013, he was off from work. He had just taken his children to school. As he was driving down the street he noticed his car needed gas. He went to the 76 Gas Station at 2417 N. San Fernando Blvd., in the city of Burbank. Deputy Plunkett said while he was pumping gas into his vehicle, he saw a female Hispanic adult running in the street eastbound on Buena Vista through traffic. She was being chased by a male Hispanic adult. The female ran to the area of the gas station north of the pumps on the eastside of the gas station convenient store. The male Hispanic caught up with her and grabbed her from behind. He saw a young juvenile female who was crying, run and grab onto the male adult from behind, and attempting to pull him away from the female adult.

Deputy Plunkett said at first he thought the male was trying to snatch the female's purse until he saw the female child crying and in distress. He then believed that it was some type of family disturbance. Deputy Plunkett walked over to their location to try to deescalate the situation. As he walked to the their location, he saw another young female juvenile, about ten years, old run over and start grabbing the male while crying. Deputy Plunkett said when he was approximately 20 feet away from them, he observed the male, later identified as Suspect Godinez, pull a large kitchen knife out of his waistband with his right hand. He began stabbing the female adult, who was identified as Suspect Godinez' [redacted], Victim [redacted] Deputy Plunkett said he started running over to their location and was thinking "Is that a knife?" He then thought "where is my gun?" remembering he left it at home. Deputy Plunkett said he made the decision to show the suspect his badge, hoping that would get the suspect to stop assaulting [redacted]. When Deputy Plunkett arrived at their location, he displayed his flat badge and verbally

identified himself as a peace officer. He said Suspect Godinez momentarily stopped, looked at him, looked at his badge, and continued stabbing the victim.

Deputy Plunkett said he put his badge away and tried to distract Suspect Godinez by getting close to him and attempting to grab him. He said the suspect took his attention off of the victim and the suspect lunged toward his (Plunkett's) abdomen with the knife. He said when the suspect tried to stab him, the suspect's [redacted] fell to the ground. Deputy Plunkett said he backed up and squared off with the suspect, which allowed the victim to get away and move over to the sidewalk. Suspect Godinez ran over to the sidewalk area where his [redacted] was, knelt over her and continued stabbing her in the abdominal area.

Deputy Plunkett said he left his gun at home because he doesn't usually carry it while he is off-duty. He said he realized that he could use deadly force in this incident. Fearing that the suspect was going to kill or gravely injure the victim, he kicked Suspect Godinez in the head with his right foot and shin. He could see that the kick stunned Suspect Godinez a little, but the suspect continued to hover over and stab the victim. Deputy Plunkett kicked the suspect again in the head. The kick had a little more effect on the suspect, but he continued to hover over her holding the knife. Deputy Plunkett kicked the suspect a third time in the head, at which time the suspect appeared to lose consciousness and fall on top of the victim.

> **IAB Note:** See Exhibit "C," location where Deputy Plunkett fought with and used force on Suspect Godinez.

Deputy Plunkett said the victim was somehow able to get away from underneath the suspect's body. Deputy Plunkett put his body weight on the suspect's back and grabbed the suspect's right arm, while the suspect was still holding the knife. Deputy Plunkett said Suspect Godinez began to regain consciousness and was trying to push up off the ground. He gave the suspect commands to drop the knife, and to stop trying to get up. Deputy Plunkett said at that point, an unknown civilian came up from behind and hit Suspect Godinez in the back of the head with a pipe wrench, at which time the knife was dislodged from the suspect's hand. Deputy Plunkett said four to five other people came over to where they were detaining the suspect and started kicking him while he was on the ground. Deputy Plunkett ordered the people to stop kicking the suspect, which they did.

Deputy Plunkett gained control of the suspect's left arm with the help of three or four other people. He had the suspect's left arm behind his back but the suspect was bleeding, so his arm was slippery and difficult to hold. He then saw Deputy [redacted] respond to his location. He asked Deputy [redacted] if he had any handcuffs. He said Deputy [redacted] told him he had flex cuffs and he ran back to his car to get them. He said they were attempting to handcuff Suspect Godinez with the flex cuffs when the Burbank Police Department arrived. He cuffed the suspect's hands with the Burbank Police Department officer's handcuffs.

Deputy Plunkett wrote a memo on November 21, 2012 to Sergeant Hanson detailing this incident and the force he used. The memo is included in the miscellaneous documents section of this report.

Deputy [redacted]

Deputy [redacted] was interviewed on August 20, 2013, at 11:33 hours, by Sergeants Brenda Parker and Mark Reyes. The interview was audio recorded.

Deputy [redacted] said on November 21, 2012, he was on a pre-scheduled day off from work. He was driving his personal vehicle southbound on Buena Vista, approaching San Fernando Road in the city of Burbank, heading to the 76 Gas Station. He was waiting for the light to turn green on San Fernando Road, so he could turn eastbound when he saw a couple of males involved in a scuffle near the gas station. Deputy [redacted] turned into the gas station, grabbed the gas hose nozzle, and walked towards the front of his car and looked to his right. He recognized that one of the males involved in the scuffle was one of his old partners and Sheriff's Academy classmates, Deputy Plunkett.

Deputy [redacted] approached the scuffle. He was armed with his off-duty weapon in his waist band and badge in his pocket. He said Deputy Plunkett told him that the man he was scuffling with, and trying to restrain, had just stabbed his [redacted]. Deputy [redacted] said he saw a knife on the ground in close proximity to the suspect, saw that the suspect was trying to get up off of the ground, and saw that Deputy Plunkett was tired. Deputy [redacted] said he put his right foot on the suspect's left shoulder in order to hold him down. He said there was another male there that grabbed the suspect's feet. He said Deputy Plunkett asked him if he had any handcuffs. Deputy [redacted] said he told Deputy Plunkett that he had flex cuffs in his car. Deputy [redacted] said he took his foot off of the suspect's shoulder and ran to his car and got his flex cuffs.

When Deputy [redacted] returned to the scuffle, he put one of the flex cuffs on the suspect's wrist. He said he tried to apply the second one, but it kept slipping due to the large amount of blood that was coming from the suspect's wounds. Deputy [redacted] said a female Burbank P.D. Officer arrived with her handcuffs, and they helped her put the handcuffs on the suspect. Deputy [redacted] said after he helped cuff the suspect, he got up from his kneeling position and walked away.

Deputy [redacted] wrote a memo to Captain Gonzalez on November 27, 2012 detailing this incident and the force he used. The memo is included in the miscellaneous documents section of this report.

<u>Burbank Police Department Officer Statements:</u>

Sergeant [redacted]

Sergeant [redacted] said he and his partner Detective [redacted] responded to the scene of a domestic violence/stabbing call. He said they were the first police unit to arrive. He a

male, identified as Suspect Godinez lying face down in the alley south of the 76 Gas Station. Suspect Godinez was handcuffed behind his back with "Flex-cuffs" and his legs were "hog tied" with string. The suspect's head was bleeding profusely. He observed Deputy Plunkett holding the suspect down and saw a large butcher knife on the ground near Suspect Godinez' feet.

> **IAB Note:** See Burbank P.D. Investigation dated 11/26/2012 10:49 (Exhibit A)

Detective [redacted]

Detective [redacted] said he and his partner Sergeant [redacted] responded to the scene. He saw a group of people on the east side of Buena Vista Street. The small group was located at the mouth of the alley of San Fernando Blvd. and Buena Vista Street, behind the 76 gas station. He observed Suspect Godinez lying on his stomach face down. The suspect was being detained by several males. The suspect's hands were restrained behind his back with flex cuffs and his legs appeared to be tied behind his back towards his hands with what appeared to be a rope. Detective [redacted] said the suspect's face was covered in blood. He saw Deputy Plunkett kneeling at the suspect's right side. He said Deputy Plunkett appeared to be holding the suspect's hands and restraining him so that he would not move. Deputy Plunkett's hands and forearms were covered in blood.

Detective [redacted] said Witness [redacted] was standing over the suspect's head and using his right foot to restrain him. Witness [redacted] was holding a pipe wrench. He also observed Witness [redacted] Deputy [redacted] and several other unidentified males who were assisting in restraining the suspect on the ground. He stated that in the initial chaos of the incident, the unidentified males left the scene prior to being identified.

Detective [redacted] said as he approached the suspect and the men restraining him, he noticed that the suspect was resistant to the males restraining him. He said as patrol units arrived, he directed them to detain the suspect from the witnesses and citizens who initially restrained him.

> **IAB Note:** See Burbank P.D. Investigation dated 11/26/2012 10:49 (Exhibit A)

Officer [redacted]

Officer [redacted] said when he arrived at the scene of the incident, he observed several people in the alley, kneeling on the ground. He noticed they were controlling Suspect Godinez who was lying face down on the ground. As he approached, he observed that Suspect Godinez had his hands behind his back and they were being held by flex cuffs. He noticed a thin white rope tied to the suspect's wrist. The rope was connected to his feet and his legs were crossed at the ankles and pulled up behind him with the rope tied

around his ankles.

Officer [redacted] said he saw that the suspect's face was covered in blood and that it seemed to be coming from a wound on the left side of his forehead. He saw three males "standing" around the suspect, who was lying face down on the ground. The first man, Deputy Plunkett was kneeling on the ground on the suspect's right side securing the suspect's ankles. The second male was bent over Suspect Godinez' left side. That male had his hands on the suspect's "cuffed/tied" hands, maintaining control of them. Officer [redacted] said the third male, known as Witness [redacted] was kneeling on the suspect's left side. He said the witness appeared to be assisting Deputy Plunkett and was holding a pipe-wrench.

> **IAB Note:** It has been established by his own admission that Witness [redacted] is the person who had and struck Suspect Godinez with the pipe-wrench.

Officer [redacted] said he placed his handcuffs on the suspect. He along with other Burbank Officers took custody of the suspect.

CIVILIAN WITNESS' STATEMENTS:

[redacted]

Victim [redacted] said at approximately 0740 hours she and her [redacted] and [redacted] arrived at the 76 Gas Station to meet with her estranged [redacted], Suspect Godinez. She said they had pre-arranged to meet at the gas station for a [redacted] exchange of [redacted]. She said the suspect was going to drop her off at work and keep [redacted] for the day. After getting gas, the suspect was driving her to her job. She said he began yelling at her and calling her names. She said the suspect started hitting her. She said she jumped out the car and banged on the window of another vehicle trying to get help.

Victim [redacted] said Suspect Godinez chased her, caught her, and started attacking her with a knife. She struggled, kicked and tried to get away. She said she saw an opportunity to get away from the suspect, but before she could break free, the suspect thrust the knife toward her stomach and stabbed her. She forcefully pulled back from the suspect, breaking his grasp on her. She said she fell to the ground, landing on her back.

Victim [redacted] said as she lay on the ground, the suspect advanced on her with the knife. He continued to attempt to stab her. The victim said she believed that her [redacted] and a passerby intervened and distracted the suspect's focus on her. She said when she realized the suspect was not advancing on her anymore, she got up off of the ground, turned to run, and was met by a passerby who guided her to the "Boys and Girls Club" with her [redacted].

IAB Note: See Burbank P.D. Investigation dated 11/21/2012 19:28 (Exhibit A)

[redacted]

Witness [redacted] said her [redacted] drove her and her [redacted] to Burbank to see their [redacted]. They met him on the corner of Buena Vista and San Fernando, at the gas station. She said the suspect paid for some gas and got into the driver seat of the vehicle. As they drove down the street the suspect told the victim to direct them to where they were living so he could drive them there. The victim refused. She said the suspect got mad and started hitting the victim. She said when the car stopped at a red light, the victim got out and started to run. The suspect jumped out of the vehicle, leaving it in the roadway and chased the victim. Witness [redacted] said she jumped out and ran after the suspect. She saw the suspect holding a knife next to the victim's head. She grabbed the suspect by the arm and tried to pull him away from the victim. The suspect then struck Witness [redacted] in the face with his right elbow.

Witness [redacted] said the victim was able to break free and run away. The victim fell and the suspect went and kneeled over her. Witness [redacted] said she could no longer see the knife and she did not see the suspect making any stabbing motions. She said she noticed the victim was crying and holding her stomach. There was blood coming from the victim's stomach area and she could not stand on her own. The witness said she and her [redacted] ran to safety at the Burbank Boys and Girls club.

IAB Note: See Burbank P.D. Investigation dated 11/21/2012 19:31 (Exhibit A)

[redacted]

Witness [redacted] said her [redacted], Witness [redacted] drove she and her [redacted] to the gas station to meet their [redacted], Suspect Godinez. Her [redacted] did not have a car so the plan was for them to drop their [redacted] off at work. Her [redacted] would then take her and her [redacted] bowling. When they got in the car, her [redacted] locked the doors and asked her [redacted] where they were currently living. When her [redacted] refused to tell him, he began hitting her [redacted]. She said her [redacted] got out of the car, but her [redacted] got out, caught up with her, and forced her to the ground. She said she saw her [redacted] take out a knife and stab her [redacted] in the stomach.

Witness [redacted] said during the struggle, a man ran over, pulled out a star shaped badge and said "Sheriff! Get down!" She said Suspect Godinez ignored the man and continued to try and stab Victim [redacted] She said two other men came up and held the suspect down while workers from the boys and girls club took her and [redacted] away to their building.

IAB Note: See Burbank P.D. Investigation dated 11/21/2012 19:49 (Exhibit A)

[redacted]

Witness [redacted] was interviewed on November 21, 2012, by Officer [redacted] of Burbank P.D. See Burbank P.D. investigation package for a more detailed account of Witness [redacted] statements (Exhibit A).

Witness [redacted] told Officer [redacted] that he was in his company truck, with his partner, riding on the passenger side. He said they were traveling westbound on Buena Vista Street from San Fernando Boulevard. He noticed a male and female struggling with each other in the 76 gas station, where the cashier's office is located. He female appeared to be trying to get away from the male. He also saw two children standing next to them. He said it appeared to him that he was witnessing a robbery take place. He said he noticed that the male was holding a knife in his hand. He then saw the male stab the female in her stomach. Witness [redacted] said he grabbed a pipe wrench and got out of the truck. He saw that Deputy Plunkett was trying to pull the suspect away from the victim.

When Witness [redacted] arrived in the area where Deputy Plunkett and the suspect were struggling, he said he noticed that the suspect was still holding the knife in his hand and was trying to hold onto the victim with his other hand. He said he heard Deputy Plunkett telling the suspect to let go of the victim. Victim [redacted] said he believed the suspect was attempting to stab the victim again. Witness [redacted] said he hit the suspect in the back with a pipe wrench. He said Deputy Plunkett then kicked the suspect in the face which caused him to drop the knife, fall to the ground, and strike his face on the sidewalk. Witness [redacted] said approximately four other people came and helped them hold the suspect on the ground until Burbank PD arrived.

IAB Note: Everyone that witnessed the incident said Witness [redacted] struck Suspect [redacted] in the head with the pipe wrench.

IAB Note: See Burbank P.D. Investigation dated 11/21/2012 22:15 (Exhibit A)

[redacted]

Witness [redacted] stated he was at the gas station and was getting ready to leave when he saw three women running around. He said he got out of his car and heard one of the females approximately nine-years-old yell "[redacted] I can't believe you did that!" Witness [redacted] said he saw 3 to 4 males holding another male on the ground. He observed that one of the males was holding a pipe wrench and there was a long knife lying on the

ground near them.

IAB Note: See Burbank P.D. Investigation dated 11/21/2012 19:29 (Exhibit A)

[redacted]

Witness [redacted] said he and his partner Witness [redacted] were traveling S/B on Buena Vista Street in their work truck. He saw a man and woman struggling over a purse. He stopped in the middle of the street and Witness [redacted] got out of the truck with a pipe wrench. He drove away in order to park the truck and get out of the traffic lanes. He said he remained in the truck, but looked in his rearview mirror to see where his partner was. He saw the female victim lying on the sidewalk next to the gas station and Deputy Plunkett attempting to pull the suspect off of her. He said there was another male standing next to them that appeared to be using a cell phone. He did not see anything else.

IAB Note: See Burbank P.D. Investigation dated 11/21/2012 22:15 (Exhibit A)

[redacted]

Witness [redacted] said he saw the suspect stab the victim in the stomach with a shiny object. He said he pulled his car into the gas station and got out to help the victim and her two daughters. He said there were other men already wrestling the suspect to the ground and attempting to detain him. They were able to detain him until Burbank police officers arrived. Witness [redacted] said he saw one of the citizens that stopped to help, swing a pipe wrench and hit the suspect in the head.

IAB Note: See Burbank P.D. Investigation dated 11/21/2012 19:29 (Exhibit A)

[redacted]

Witness [redacted] said she was taking her children to the Boys and Girls club located at 2244 N. Buena Vista Street, in Burbank. She observed what appeared to be a male and a female involved in a fight. She said the fight was occurring in the alley at San Fernando Blvd. at Buena Vista Street.

IAB Note: See Burbank P.D. Investigation dated 11/21/2012 19:30 (Exhibit A)

[redacted]

Witness [redacted] is the [redacted] of the "Quality Inn," located across the street from where this incident occurred. He was working the front desk at the time of the incident but did not witness the incident. Officer [redacted] viewed a multi-screen security monitor in Witness [redacted] office and verified there was no coverage of San Fernando Boulevard.

IAB Note: See Burbank P.D. Investigation dated 11/21/2012 19:29 (Exhibit A)

[redacted]

Witness [redacted] is the [redacted] of the "Jack-In-The-Box" restaurant (2511 N. San Fernando Boulevard), located across the street from where the incident occurred. Witness [redacted] did not witness the incident and could not provide any information about the incident. She was not able to pull up video coverage at that time. During the investigation of this incident, I (Sgt. Parker) spoke with Witness [redacted] She stated that the Jack-In-The-Box cameras did not capture any footage of this incident.

IAB Note: See Burbank P.D. Investigation dated 11/21/2012 19:28 (Exhibit A)

SUSPECT STATEMENT:

Godinez, Trino Jose

Suspect Godinez refused to talk to IAB investigators upon their arrival. However, Suspect Godinez did give a statement to Sgt. Tuinstra of Santa Clarita Valley Station on November 21, 2012.

Suspect Godinez told Sgt. Tuinstra that his [redacted] obtained $30,000 from a family member. His [redacted] was supposed to bring the money back to the family but she spent it. Suspect Godinez said he "lost it." He said he was on top of his [redacted] in a parking lot when he was struck with a crow bar. He did not know who struck him and he was not certain if he had been kicked in the head. He said he was experiencing pain in his chest area.

IAB Note: See Exhibit "F," movie 5, Sgt. Tuinsta's interview of Suspect Godinez.

SUSPECT INJURIES:

The suspect sustained a 3" laceration to the top of his head, broken nose, multiple contusions to his face, and a bruised kidney.

DEPUTY PERSONNEL INJURIES:

Deputy Plunkett sustained an injury to his right foot and right shin during the incident.

PHYSICAL EVIDENCE:

Photographs of suspect's the injuries were taken and are documented in this report.

INVESTIGATORS OBSERVATIONS:

The physical evidence in this case is corroborated by victim, witness, and suspect interviews.

WEAPONS USED BY DEPUTY PERSONNEL:

Personal Weapons- Hands and feet

WEAPONS USED BY SUSPECT:

Knife

PROPERTY DAMAGE:

None

CHARGES FILED AND DISPOSITIONS:

664/187, Attempted Murder

WEATHER AND LIGHTING CONDITIONS:

Day Light